

sexual powers and for sexual rejuvenation; (*Napier's Inhalant & Rubbing Oil*) for the treatment of sinus trouble, catarrh, asthma, hay fever, grippe, earache, chilblains, and pain in the neck, back, or leg; and (*Napier's Family Salve*) in the treatment of all kinds of burns, scalds, eczema, impetigo, skin rashes, poison oak, poison ivy, ringworm, itching, bleeding, blind or protruding hemorrhoids, and varicose vein sores.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 10-27-59.

On 10-29-59, the jury returned a verdict of guilty on counts 1, 3, 5, and 6, and not guilty on counts 2 and 4. On 12-17-59, the defendant was sentenced to 1 year imprisonment, which was suspended, and the defendant was placed on probation for 4 years.

6090. Bath minerals. (F.D.C. No. 43510. S. No. 51-468 P.)

QUANTITY: 30 3-lb. bags at Milwaukee, Wis.

SHIPPED: 5-14-59, from Soap Lake, Wash.

LABEL IN PART: (Sticker on bags) "Mother Nature Co. 'World's Most Miraculous Health Products' 1300 No. 12th St. * * * Milwaukee, Wis." and (rubber stamp on bags) "H. H. Wolfgram, 1300 N. 12th Street, Milwaukee 5, Wis. Mother Nature Co."

ACCOMPANYING LABELING: Circulars entitled "Now You Can Take These Famous Mother Nature Baths."

RESULTS OF INVESTIGATION: The article was repacked and labeled by the dealer from bulk stock shipped as described above. The circulars were printed on order of the dealer.

LIBELED: 8-28-59, E. Dist. Wis.

CHARGE: 502(a)—while held for sale, the labeling which accompanied the article contained false and misleading representations that the article was an adequate and effective treatment for eliminating objectionable body odor; brightening the eyes; building up resistance to disease; inducing sound refreshing sleep; rheumatism; arthritis; neuritis; gout; high blood pressure; diabetes; gangrene; nervous disorders; circulatory ailments; general skin troubles; foot troubles, ulcers; Buerger's disease; skin infections; female disorders; varicose open sores; migrating phlebitis; osteomyelitis; and stomach and intestinal disorders; 502(b)(2)—the article failed to bear a label containing an accurate statement of the quantity of its contents; 502(e)(2)—the label of the article failed to bear the common or usual name of each of the active ingredients contained therein; and 502(f)(2)—the article was offered for vaginal douching and its labeling failed to bear a warning that it should not be used more than twice weekly unless otherwise directed by a physician.

DISPOSITION: 11-24-59. Default—destruction.

6091. Vydagen laxative compound. (F.D.C. No. 43530. S. No. 65-875 P.)

QUANTITY: 10 ctns., containing a total of 1,144 cans, at Hamburg, N.Y.

SHIPPED: 7-29-59, from Irvington, N.J.

LABEL IN PART: (Can) "(Vydagen A Supplementary Laxative Compound containing no Chemical or habit forming Drugs * * * Ingredients: Agar Agar, Indian Plantago, Ovata Seed, Dextrine, Lactose * * * Net Weight 5 Oz. Vydagen Products, 239 Munn Avenue, Irvington, N.J.)"

LIBELED: 9-10-59, W. Dist. N.Y.

CHARGE: 502(f)(1)—while held for sale, the labeling of the article failed to bear adequate directions for use for the prevention and treatment of headaches; coughs; irritability; nervousness; heartburn; indigestion; stomach trouble; neutralizing gas in the stomach; bed wetting; kidney ailments; for breaking up and eliminating poisons from the body, and restoring energy, pep, vitality, and good health; for removing parasites such as worms and tumors from the intestines; for enabling one to have a healthy body, healthy bowels, clean blood, better resistance to diseases and less sickness, and for enabling persons to eat better, feel better, and sleep better, which were the conditions and purposes for which the article was offered orally, on 8-17-59, by Maurice L. Harmelin, the owner of Vydagen Products, at the Erie County Fair, Hamburg, N.Y.

DISPOSITION: 10-14-59. Default—destruction.

6092. Nutrin vitamin and mineral capsules. (F.D.C. No. 43921. S. No. 66-601 P.)

QUANTITY: 7 pkgs., each containing 5 btls., and 20 pkgs., each containing 2 btls., at Pittsburgh, Pa.

SHIPPED: 10-19-59, from Waterloo, Iowa, by Vitarene Co.

LABEL IN PART: (Btl.) "Nutrin Multi-Vitamins & Minerals Each Capsule Contains: Vitamins * * * Minerals * * * 30 Capsules Distributed by Chester H. Nairne Co. 70 Tenth St. Niles, Ohio * * * PL 75."

ACCOMPANYING LABELING: Leaflet in package entitled "Nutrin When Food Alone is not Enough Nutrin Capsules."

RESULTS OF INVESTIGATION: Mr. Chester H. Nairne had a sales booth on the premises of a retail store at Pittsburgh, Pa., from which he sold the article to the public, using an oral sales spiel and distributing the above-described leaflet.

LIBELED: 11-25-59, W. Dist. Pa.

CHARGE: 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations that it was adequate and effective for perfect health; active brain; steady nerves and happy disposition; strength, vigor, and unlimited energy; sturdy growth; good bones and teeth; regulation of nervous and muscular activity; coagulation of blood; proper functioning of the heart, muscles, nervous and body tissues; counteraction of acids; healing of wounds; strengthening of mental power; regulation of all the nutritive processes and prevention of goiter; purifying the system; and regenerating the body by purifying the blood; and that the food supplies generally available are nutritionally deficient and inferior, and that they lack sufficient amounts of the vitamins and minerals for normal nutrition; and 502(f)(1)—the labeling of the article failed to bear adequate directions for use in the treatment of underweight and overweight conditions; high blood pressure; reduced sexual powers; constipation; polio; improper sleep; diabetes; and colds, which were the conditions for which the article was offered in oral statements by Mr. Chester H. Nairne.

DISPOSITION: 12-17-59. Default—destruction.

6093. Inhalant and rubbing oil. (F.D.C. No. 43602. S. No. 71-111 P.)

QUANTITY: 20 8-oz. btls., 26 4-oz. btls., and 177 10-oz. btls., at Cincinnati, Ohio.